

KAUAI PLANNING COMMISSION
REGULAR MEETING

Tuesday, July 25, 2017

RECEIVED

9:00:01 a.m. or Soon Thereafter
Lihu'e Civic Center, Moikeha Building
Meeting Room 2A-2B
4444 Rice Street, Lihue, Kauai, Hawai'i

17 JUL 19 P4:25

OFFICE OF
THE COUNTY CLERK
COUNTY OF KAUAI

AGENDA

- A. CALL TO ORDER
- B. ROLL CALL
- C. APPROVAL OF AGENDA
- D. MINUTES of the meeting(s) of the Planning Commission
 - 1. Regular Meeting of June 13, 2017.
 - 2. Regular Meeting of June 27, 2017.
 - 3. Contested Case Calendar of June 27, 2017.
- E. RECEIPT OF ITEMS FOR THE RECORD
- F. HEARINGS AND PUBLIC COMMENT (Noticed hearings will not commence until 9:00 a.m. or soon thereafter.) Individuals may orally testify on items on this agenda during the Public Comment Period. Please call the Planning Department prior to the meeting or notify Commission Staff at the meeting site. Testimony shall also be accepted when the agenda item is taken up by the Commission. However if an individual has already testified during this period, additional testimony at the agenda item testimony may be allowed at the discretion of the Chair. Testifiers shall limit their testimony to three (3) minutes, but may be extended longer at the discretion of the Chair. Written testimony is also accepted. An original and twelve (12) copies of written testimony can be hand delivered to the Planning Department or submitted to Commission Staff at the meeting site.
 - 1. Continued Agency Hearing
 - 2. New Agency Hearing
 - a. Class IV Zoning Permit Z-IV-2017-13, Use Permit U-2017-11 and Special Permit SP-2017-6 to allow construction of a fuel farm facility consisting of three (3) 100,000 gallon fuel storage tanks and associated site improvements on a parcel located along the makai side of Ahukini Road in Lihue, situated approx. 1,000 ft. north of the Lihue Airport terminal, further identified as Tax Map Keys: 3-5-001:008 & 158, and affecting a portion of a larger parcel containing 61.5 acres = *Hawaii Fueling Facilities Corporation*. [Director's Report received by Clerk of the Commission, Michael Dahilig, 7/11/17.]

F. HEARINGS AND PUBLIC COMMENT (Cont'd)

2. New Agency Hearing

- b. Class IV Zoning Permit Z-IV-2017-14 and Use Permit U-2017-12 to allow construction of a community agricultural center that will include 2 pavilions, a fruit stand café, luau preparation area, restroom facilities, office/equipment barn and associated site improvements on a parcel located along the makai side of the Kilauea Road/Kahili Quarry Road intersection in Kilauea, further identified as Tax Map Key: 5-2-004:099, and affecting a portion of a larger parcel containing 75.431 acres = *Aina Hookupu O Kilauea*. [Director's Report received by Clerk of the Commission, Michael Dahilig, 7/11/17.]
- c. Class IV Zoning Permit Z-2017-15 and Use Permit U-2017-13 to allow construction of a swimming pool and pavilion on a parcel situated within the Seacliff Plantation Subdivision in Kilauea, located along the mauka side of Makanaao Place, further identified as 2183F Makanaano Place, Tax Map Key: 5-2-004:091, and affecting a portion of a larger parcel containing 5.204 acres = *Robert Leonard*. [Director's Report received by Clerk of the Commission, Michael Dahilig, 7/11/17.]

3. Continued Public Hearing

4. New Public Hearing

5. All remaining public testimony pursuant to HRS 92 (Sunshine Law)

G. CONSENT CALENDAR

1. Status Reports

2. Director's Report(s) for Project(s) Scheduled for Agency Hearing on 8/8/17

- a. Class IV Zoning Permit Z-IV-2017-16 to develop 134 affordable housing units, containing a combination of 4-plexes and 6-plexes, and associated site improvements on a parcel situated on the eastern side of Koloa Road in Koloa, situated immediately across the Koloa Estates Subdivision, further identified as Tax Map Key 2-6-004:019, and containing a total area of 11.204 acres = *Mark Development, Inc.*

- 1. Director's Report pertaining to this matter.

H. EXECUTIVE SESSION

I. GENERAL BUSINESS MATTERS

- 1. Request to amend Condition No. 5 of Class IV Zoning Permit Z-IV-2017-3, Use Permit U-2017-3, Special Permit SP-2017-1 and Special Management Area Use Permit SMA(U)-2017-17 = *A T & T*.
 - a. Director's Report pertaining to this matter.
- 2. Request for extension of time for Class IV Zoning Permit Z-IV-2011-12, Use Permit U-2011-12 and Special Permit SP-2011-7 = *William E. Robertson Trust & Lucinda McDonald Trust*.
 - a. Director's Report pertaining to this matter.

J. COMMUNICATION (For Action)

K. COMMITTEE REPORTS

1. **Subdivision** Subdivision Action matters listed in the Subdivision Committee Agenda (attached).

L. UNFINISHED BUSINESS (For Action)

1. Notice to Appeal the *Anininina, LLC*, Shoreline Setback Determination SSD 2017-52, for real property situated at 7214 Alamo Road, Haena, Kauai, Hawaii, identified as Tax Map Key (4) 5-8-008:040. [Deferred 5/23/17.]
 - a. Letter (7/9/17) from Caren Diamond – Notice of Withdrawal of Intent to Appeal with Prejudice.
2. In the Matter of the Application of *Mohala Ke Ola Management, LLC* for a Use Permit and Class IV Zoning Permit on property situated at Kapaa, Kauai, Hawaii, identified by Kauai TMK No. (4)4-2-009: 011 containing 18,739 square feet; CC-2015-13 and CC-2016-3. [AH closed 6/23/15, deferred 6/27/17.]
 - a. Supplement No. 3 to the Planning Director's Report.

M. NEW BUSINESS

1. **For Action – See Agenda F for Project Descriptions**

N. ANNOUNCEMENTS

1. Topics for Future Meetings
2. The following regularly scheduled Planning Commission meeting will be held at 9:00 a.m., or shortly thereafter at the Lihue Civic Center, Moikeha Building, Meeting Room 2A-2B, 4444 Rice Street, Lihue, Kauai, Hawaii 96766 on **Tuesday, August 8, 2017.**

O. ADJOURNMENT

EXECUTIVE SESSION: The Commission may go into an executive session on an agenda item for one of the permitted purposes listed in Section 92-5(a) Hawaii Revised Statutes ("H.R.S."), without noticing the executive session on the agenda where the executive session was not anticipated in advance. HRS Section 92-7(a). The executive session may only be held, however, upon an affirmative vote of two-thirds of the members present, which must also be the majority of the members to which the board is entitled. HRS Section 92-4. The reason for holding the executive session shall be publicly announced.

NOTE: Special accommodations and sign language interpreters are available upon request five (5) days prior to the meeting date, to the County Planning Department, 4444 Rice Street, Lihue, Hawaii 96766. Telephone: 241-4050.

KAUA'I PLANNING COMMISSION
SUBDIVISION COMMITTEE MEETING

Lihue Civic Center, Mo'ikeha Building
Meeting Room 2A-2B
4444 Rice Street, Lihue, Hawaii 96766

Tuesday, July 25, 2017, 8:30 A.M.

AGENDA

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA

D. MINUTES of the meeting(s) of the Subdivision Committee

1. Meeting of June 27, 2017

E. RECEIPT OF ITEMS FOR THE RECORD (None)

F. HEARINGS AND PUBLIC COMMENT

Individuals may orally testify on items on this agenda during the Public Comment Period. Please call the Planning Department prior to the meeting or notify Commission Staff at the meeting site. Testimony may also be accepted when the agenda item is taken up by the Commission at the discretion of the Chair. Testifiers shall limit their testimony to three (3) minutes, but may be extended longer at the discretion of the Chair. Written testimony is also accepted. An original and twelve (12) copies of written testimony can be hand delivered to the Planning Department or submitted to Commission Staff at the meeting site.

G. GENERAL BUSINESS MATTERS (None)

H. UNFINISHED BUSINESS (None)

I. NEW BUSINESS (For Action)

1. Tentative Subdivision Map Approval
 - a. Subdivision Application No. S-2017-9
(**Bridget Morse**)
Proposed 2-lot subdivision
TMK: (4) 5-5-006:016
Hanalei, Kaua'i
1. Subdivision Report pertaining to this matter.

I. NEW BUSINESS (For Action) (Cont'd)

1. Tentative Subdivision Map Approval (Cont'd)

- b. Subdivision Application No. S-2017-10
(Medeiros Farm, Inc)

Proposed 3-lot Boundary Adjustment

TMK: (4) 2-3-014:007, 009 & 031

Kalaheo, Kaua'i

1. Subdivision Report pertaining to this matter.

J. ADJOURNMENT

NOTE: Special accommodations and sign language interpreters are available upon request five (5) days prior to the meeting date, to the County Planning Department, 4444 Rice Street, Suite A473, Līhu'e, Hawai'i 96766. Telephone: (808) 241-4050.

Pursuant to Section 8-27.8 (6) of the Kaua'i County Code (1987), as amended, the following shoreline setback determinations by the Director are disclosed for purposes of public notification.

July 25, 2017

SHORELINE SETBACK DETERMINATIONS

Application No.	Name of Applicant(s)	Property I.D. (Tax Map Key)	Location	Reasons
SSD-2018-1	Hawaiian Preservation Trust	5-3-005:001	'Anini	Renovations to Four Buildings and After-the-Fact Fence and Gate
SSD-2018-2	GCT Properties	4-3-007:011	Kapa'a	Interior Renovations
SSD-2018-3	Kaua'i Coconut Beach	4-3-007:028	Kapa'a	After-the-Fact Luau Facility
SSD-2018-4	Federal Highway Administration	4-6-014:024, 031, 033, 090, 092; 4-7-003:001 and 4-7-008:042	Keālia	Mailihuna Road Roundabout
SSD-2018-5	Bret Cook	2-8-019:004	Po'ipū	Interior Renovation